

Applicants: Aidan J. Lavery et al.  
Appl. No.: 10/785,290  
Filed: February 23, 2004  
page 7 of 10

#### REMARKS

Claims 2-12 and 14-17 were pending in the subject application. By this amendment, Claims 2 and 16-17 have been canceled without prejudice or disclaimer, Claims 14-15 have been amended, and new Claims 18-19 have been added.

Applicants maintain that the amendments to the claims do not raise an issue of new matter. Support for the claim amendments can be found at least in paragraphs [0035] and [0037] on page 10 of the application as filed, and in addition for Claim 15 in paragraph [0026] on page 7 of the application as filed. Accordingly, entry of the amendments is respectfully requested.

#### Interview Summary

Applicants thank the Examiner for the courtesy of a telephone interview on March 4, 2008 with attorney Craig Arnold and the undersigned attorney. During the interview, different proposed amendments to the claims were discussed in order to overcome the outstanding rejection under 35 U.S.C. §103(a). No resolution was reached.

#### Rejections under 35 U.S.C. §103(a)

Claims 2-12 and 14-17 are rejected as unpatentable over Ohbayashi et al. (US 6,492,005 B1) in view of Farooq et al. (US 6,703,112 B1).

Ohbayashi teaches an ink jet recording sheet comprising a support and an ink absorptive layer (Abstract). The ink absorptive layer can be formed of two or more ink absorptive layers (Column 17, lines 1-3). The Examiner has argued that since Ohbayashi suggests that its ink absorbing layer can include multiple layers, the Examiner is of the opinion that Ohbayashi teaches a protective layer deposited on an imaging recording layer. Applicants disagree with this contention. Ohbayashi simply does not teach or

suggest a specific protective layer, including the components set forth in the claimed ink jet recording layer, deposited on an imaging recording layer. The mere suggestion that the imaging recording layer can include multiple layers is not a teaching of a protective layer deposited on an image recording layer. While Farooq discloses an organometallic salt that might fall within an organic compound having the formula  $\text{MeX}$  or  $\text{MeX}_2$  as claimed, Farooq does not teach or suggest a protective layer containing (i) an organometallic salt together with an organic sulphur-containing compound which forms complexes with metal ions, and (ii) a boric acid compound, that is deposited on an imaging recording layer. Accordingly, the claimed invention is not obvious over the combination of Ohbayashi and Farooq.

In terms of the specific ink absorptive layer, Ohbayashi describes that this layer contains dicyandiamide polycondensation products including polyalkylenepolyamine-dicyandiamide polycondensation product (Summary of the Invention) and formalin-dicyandiamide polycondensation product (Claim 1) as active components. Furthermore, the ink absorptive layer of Ohbayashi also preferably contains water-soluble cationic polymers as set forth in Column 4, line 25 through Column 11, line 51. In addition to these components, Ohbayashi provides an extensive laundry list of ingredients that can be included its ink absorptive layer. In this regard, Ohbayashi teaches that its ink absorbing layer may include hydrophilic binders (Column 13, line 61 through Column 14, line 60), hardeners (Column 15, lines 25-63) such as boric acid and their salts, epoxy based hardeners (diglycidyl ethyl ether, ethylene glycol diglycidyl ether, 1,4-butanediol glycidyl ether, 1,6-diglycidylcyclohexane, N,N-diglycidyl-4-glycidylloxylaniline, sorbitol polyglycidyl ether, glycerol polyglycidyl ether, and the like), aldehyde based hardeners (formaldehyde, glyoxal, and the like), active halogen based hardeners (2,4-dichloro-4-hydroxy-1,2,5-s-triazine, and the like), active vinyl based compounds (1,3,5-trisacryloyl-hexahydro-s-

triazine, bisvinylsulfonyl methyl ether, and the like), borax, aluminum alum, and the like, various additives (Column 16, lines 19-35) such as UV absorbers, antifading agents, various anion, cation or nonion surface active agents, fluorescent whitening agents, pH-adjusting agents such as sulfuric acid, phosphoric acid, acetic acid, citric acid, sodium hydroxide, potassium hydroxide, potassium carbonate, etc., antifoaming agents, lubricants such as diethylene glycol, etc., antiseptics, thickeners, antistatic agents, and matting agents, etc., latex-based polymers (Column 16, lines 35-67), water-soluble reducing agents, sulfur-containing compounds, and hydrophobic antioxidants (Column 17, lines 14-54), water soluble metal ions and colorants (Column 18, lines 8-43), as well as silane coupling agents (Column 19, lines 6-32).

Of all possible optional ingredients listed in Ohbayashi, no where does Ohbayashi teach or suggest a protective layer that preferentially includes both (i) an organic sulphur-containing compound which forms complexes with metal ions, and (ii) a boric acid compound, in the amounts as claimed. The addition of Farooq does not remedy the deficiencies of Ohbayashi since Farooqu does not teach or suggest a protective layer that preferentially includes both (i) an organic sulphur-containing compound which forms complexes with metal ions, and (ii) a boric acid compound, in the amounts as claimed.

For these reasons, reconsideration and withdrawal of this rejection are respectfully requested.

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page 10 of 10

CONCLUSIONS

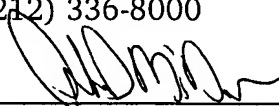
In view of the amendments and remarks made hereinabove, reconsideration and withdrawal of the rejection in the December 27, 2007 Final Office Action and passage of the pending claims to allowance are respectfully requested. If there are any minor matters preventing the allowance of the subject application, the Examiner is requested to telephone the undersigned attorney.

A check in the amount of \$810.00 is enclosed for the fee for filing a RCE. No additional fee is deemed necessary in connection with this reply. However, if any other fee is required to maintain the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785.

Respectfully submitted,

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New York, New York

By   
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